

EMPLOYMENT

**Agreement Between the
UNITED STATES OF AMERICA
and ZAMBIA**

Effected by Exchange of Notes at
Lusaka June 26, 1989 and January 4, 1990



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“. . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

ZAMBIA

Employment

*Agreement effected by exchange of notes at
Lusaka June 26, 1989 and January 4, 1990;
Entered into force January 4, 1990.*

EMBASSY OF THE
UNITED STATES OF AMERICA

No. 70

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Zambia and has the honor to propose that, on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in Zambia and dependents of employees of the Zambian Government assigned to official duty in the United States be authorized to be employed in the receiving country.

For the purposes of this agreement, "dependents" shall include:

Spouses;

Unmarried dependent children under 21 years of age;

Unmarried dependent children under 23 years of age who are in full-time attendance as students at a post-secondary educational institution; and

Unmarried children who are physically or mentally disabled.

In the case of such dependents who seek employment in the United States, an official request must be made by the Embassy of Zambia in Washington to the Office of Protocol in the Department of State. Upon verification that the person is a dependent of an official employee of the Zambian Government, the Zambian Government will be informed by the Department of State that the dependent has permission to accept employment.

In the case of dependents who seek employment in Zambia, the request shall be made by the United States Embassy in Lusaka to the Ministry of Foreign Affairs, which after verification, shall then inform the United States Embassy that the dependent may accept employment.

The United States Government and the Zambian Government wish to clarify their understanding that dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country in accordance with Article 31 of the Vienna Convention on Diplomatic Relations or in accordance with the Convention on the Privileges and Immunities of the United Nations, or any other applicable international agreement, have no immunity from civil and administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also liable for payment of income and social security taxes on any remuneration received as a result of employment in the receiving state.

The Embassy of the United States further proposes that, if these understandings are acceptable to the Government of Zambia, this note and the Government of Zambia's reply concurring therein shall constitute an agreement between our two governments which shall enter into force on the date of that reply note. This agreement shall remain in force until ninety days after the date of the written notification from either government to the other of intention to terminate.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Zambia the assurances of its highest consideration.

Embassy of the United States of America

Lusaka, June 26, 1989





Note No. 1295/89

The Ministry of Foreign Affairs of the Government of the Republic of Zambia presents its compliments to the Embassy of the United States of America and has the honour to refer to the latter's Note No. 70 of 26 June, 1989 which in part reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Zambia and has the honour to propose that, on a reciprocal basis, dependents of employees of the United States Government assigned to official duty in Zambia and dependents of employees of the Zambian Government assigned to official duty in the United States be authorised to be employed in the receiving country.

For the purposes of this agreement, "dependents" shall include:

Spouses:

Unmarried dependent children under 21 years of age;

Unmarried dependent children under 23 years of age who are in full-time attendance as students at a post-secondary educational institution; and

Unmarried children who are physically or mentally disabled.

In the case of such dependents who seek employment in the United States, an official request must be made by the Embassy of Zambia Washington to the Office of protocol in the Department of State. UPon verification that the person is a dependent of an official employee of the Zambian Government, the Zambian Government will be informed by the Department of State that the dependent has permission to accept employment.

In the case of dependents who seek employment in Zambia, the request shall be made by the United States Embassy in Lusaka to the Ministry of Foreign Affairs, which after verification, shall then inform the United States Embassy that the dependent may accept employment.

The United States Government and the Zambian Government wish to clarify their understanding that dependents who obtain employment under this agreement and who have immunity from the jurisdiction of the receiving country in accordance with Article 31 of the Vienna Convention on Diplomatic Relations or in accordance with the Convention on the privileges and Immunities of the United Nations, or any other applicable international agreement, have no immunity from civil and administrative jurisdiction with respect to matters arising out of such employment. Such dependents are also liable for payment of income and social security taxes on any remuneration received as a result of employment in the receiving state.

The Embassy of the United States further proposes that, if these understandings are acceptable to the Government of Zambia. This note and the Government of Zambia's reply concurring therein shall constitute an agreement between our two governments which shall enter into force on the date of that reply note. This agreement shall remain in force until ninety days after the date of the written notification from either government to the other of intention to terminate."

The Ministry of Foreign Affairs of the Republic of Zambia further has the honour to confirm that the proposals contained in the foregoing paragraphs are acceptable to the Government of the Republic of Zambia and shall constitute an agreement between our two governments which shall enter into force on today's date.

The Ministry of Foreign Affairs of the Republic of Zambia avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration

LUSAKA

4th January, 1990

Embassy of the United States of America,
LUSAKA.

